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January 23, 2013

VIA ECF

Chambers of the Honorable Leonard D. Wexler
Alfonse M. D'Amato United States Courthouse
Eastern District of New York
100 Federal Plaza,
Central Islip, New York 11722

***Re: Government Employees Insurance Company, et al.
v. Premier Health Choice Medical, P.C., et al
Docket No.: 2:12-cv-05089(LDW)(WDW)***

To the Honorable Leonard D. Wexler:

This office represents the plaintiffs, Government Employees Insurance Company, et al. (hereinafter collectively referred to as "GEICO") in the above-referenced matter.

On January 22, 2013, counsel for a number of Defendants submitted to Your Honor an application for a pre-motion conference seeking permission to file a motion to dismiss pursuant to Rule 12(b)(6) or, in the alternative, to transfer the subject action to the Southern District pursuant to 28 U.S.C.A. §1406. *See* D.E. 18.

Prior to the submission of the Defendants' application for a pre-motion conference, the parties engaged the possibility of resolving this action without further judicial intervention. Subsequent to the submission of Defendants' application for a pre-motion conference, this office and Defendants' counsel, Evan Schwartz, Esq., engaged in further settlement negotiations. At this time, it appears as if GEICO will be able to amicably resolve this matter with Mr. Schwartz's clients without additional judicial intervention.

To this end, it is respectfully requested that the Defendants' application for a pre-motion conference be held in abeyance until such time as the parties are able to complete settlement discussions in this matter.

Defendants' counsel, Evan Schwartz, Esq., has consented to this application and joins in this request.

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The Court's attention to this matter is greatly appreciated.

If you should have any questions regarding this application, please feel free to contact me at your convenience.

Respectfully submitted,
BRUNO, GERBINO & SORIANO, LLP

By:  .

MICHAEL A. CALLINAN (MC7052)

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CC: GEICO